

Amendments to House Bill No. 542
1st Reading Copy

Requested by Representative Gordon Vance

For the House Business and Labor Committee

Prepared by Bartley Campbell
February 18, 2009 (6:26am)

1. Page 2, line 27.

Following: "a motor-driven cycle as defined in 61-1-101,"

Insert: "an off-highway vehicle as defined in 61-1-101,"

2. Page 6, line 27.

Strike: "or"

Insert: "(s) refuse to allocate, sell, or deliver motorsports vehicles, may not charge back or withhold payments or other things of value for which the motorsports dealer is otherwise eligible under a sales promotion, program, or contest, and may not prevent the motorsports dealer from participating in any promotion, program, or contest based on the motorsports dealer's selling of a motorsports vehicle to a customer who was present at the dealership if the motorsports dealer did not know or could not have reasonably known that the motorsports vehicle would be shipped to a foreign country. There is a rebuttable presumption that the motorsports dealer did not know or could not have reasonably known that the motorsports vehicle would be shipped to a foreign country if the motorsports vehicle is titled in the United States."

Renumber: subsequent subsection

3. Page 10, line 30.

Strike: "or"

4. Page 11, line 1 through line 2.

Following: "(i)"

Strike: "offer" on line 1 through "unless" on line 2

Insert: "offer a program where a Montana motorsports dealer would be eligible for a benefit or advantage that lowers the actual price of a motorsports vehicle, part, or accessory only if the motorsports dealer purchases from the motorsports manufacturer a quantity of motorsports vehicles, parts, or accessories as determined by the motorsports manufacturer unless"

5. Page 11, line 3.

Following: "agrees"

Strike: "to the sales goal or objective"

Following: "writing"

Insert: "to the quantity of motorsports vehicles, parts, or accessories to be purchased as determined by the motorsports manufacturer"

6. Page 11, line 4.

Following: "(B) the"

Strike: "sales goal or objective"

Insert: "quantity determined by the motorsports manufacturer"

7. Page 11, line 8 through line 9.

Strike: "that" on line 8 through "equitable" on line 9

8. Page 11, following line 15.

Insert: "(u) refuse to allocate, sell, or deliver motorsports vehicles, may not charge back or withhold payments or other things of value for which the motorsports dealer is otherwise eligible under a sales promotion, program, or contest, and may not prevent the motorsports dealer from participating in any promotion, program, or contest based on the motorsports dealer's selling of a motorsports vehicle to a customer who was present at the dealership if the motorsports dealer did not know or could not have reasonably known that the motorsports vehicle would be shipped to a foreign country. There is a rebuttable presumption that the motorsports dealer did not know or could not have reasonably known that the motorsports vehicle would be shipped to a foreign country if the motorsports vehicle is titled in the United States."

9. Page 12, line 28.

Strike: "franchise agreements that are entered into or renewed"

Insert: "transactions that occur"

10. Page 12, line 29.

Strike: "act"

Insert: "section"

- END -